

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PATRICIA COTTEN and
JAMES SCOTT EL #124522,

Plaintiffs, No. 04-CV-73508-DT

vs. Hon. Gerald E. Rosen

SHERRY L. BURT, et al.,

Defendants.

ORDER AFFIRMING MAGISTRATE JUDGE'S ORDER
DENYING PLAINTIFF SCOTT EL'S MOTION FOR
ORDER COMPELLING DISCOVERY

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on January 17, 2008

PRESENT: Honorable Gerald E. Rosen
United States District Judge

This matter is before the Court on Objections filed by prisoner-plaintiff James Scott El to Magistrate Judge Mona K. Majzoub's October 22, 2007 Order Denying Plaintiff's Motion for an Order Compelling Disclosure or Discovery. The discovery Scott El sought was by way of subpoenas served upon the Michigan Attorney General and an administrative assistant at the prison where Scott El is housed. Scott El's subpoenas sought production of a security camera videotape of the prison visiting room on December 3, 2003. The Magistrate Judge determined that service of subpoenas on the Attorney General and the secretary at the prison was improper and, therefore, refused to

enter an order compelling the discovery Scott El wanted.

The Court finds that the Magistrate Judge's ruling was not clearly erroneous or contrary to law. *See* 29 U.S.C. § 636(b)(1)(A). Therefore,

IT IS HEREBY ORDERED that the Magistrate Judge's Order [Dkt. # 95] denying Plaintiff Scott El's Motion for an Order Compelling Disclosure or Discovery is AFFIRMED.

s/Gerald E. Rosen

Gerald E. Rosen
United States District Judge

Dated: January 17, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 17, 2008, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry

Case Manager